

REMARKS

This responds to the Office Action mailed on October 2, 2008.

Claims 1 and 8 are amended; claims 15-20 were previously canceled, without prejudice to the Applicant; as a result, claims 1-14 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs 19, 26, 30, and 31.

§103 Rejection of the Claims

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wu (U.S. Publication No. 2004/0068572) in view of Parsons, Jr. et al. (U.S. Patent No. 6,349,337; hereinafter "Parsons"). It is of course fundamental that in order to sustain an obviousness rejection that each and every element in the rejected claims must be taught or suggested in the proposed combination of references.

With respect to the argument that Parsons discloses terminating a transaction and that claim 1 read as such, Applicant has fixed this so that there is no doubt now that it is the first session that is terminated and not a transaction. Thus, the Examiner's comments with respect to this are now moot.

Secondly, it is clear from the paragraphs of Wu identified by the Examiner as 49-50 that a few things are specifically required in Wu. First, a same session is re-established after a first session terminates. Second, the same session that is re-established is with an entirely different client. That is the first session is terminated for a first client and then later the same session is re-established with a second and different client. These points are not ambiguous and are clear in the Wu reference.

Applicant has amended the independent claims to now make clear that there are multiple sessions (first and second as indicated in amended claim 1 or first and subsequent as amended in claim 8). The second or subsequent sessions are “new” sessions and not the “same” session as is taught in Wu. Thus, the rejections of record should be withdrawn because the proposed combination fails to teach each and every limitation of the rejected claims.

Applicant respectfully requests that the pending claims be allowed.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4370.

Respectfully submitted,

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Date 1-02-09

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 2, 2009.

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